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Examiner: Marshall McLeod

REMARKS

The Application has been carefully reviewed in light of the Office Action mailed September 16, 2008. At the time of this Office Action, Claims 1, 4-7, 9, 12-15, 17 and 20-22 were pending in the Application and Claims 1, 4-7, 9, 12-15, 17 and 20-22 were rejected. The following actions were taken or matters raised: (I) Applicant's response filed January 12, 2009 was acknowledged, (II) Claims 1, 9 and 17 were rejected under 35 U.S.C. § 112, second paragraph; (III) Claims 1, 5-7, 9, 13-15, 17 and 21-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over del Val et al (US 6,763,392) in view of Deshpande (US Pat. Pub No. US 2005/0071881); and (IV) Claims 4, 12 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over del Val et al (US 6,763,392) in view of Deshpande (US Pat. Pub No. US 2005/0071881) and further in view of Chae (US Pat. Pub No. US 2006/0090187). In order to advance prosecution of this case by overcoming the rejections asserted by the Office and/or characterizing the Applicants' claimed invention (i.e., the invention) with greater specificity, certain claims have been amended. Accordingly, the Applicants respectfully request reconsideration and favorable action in this case.

Rejection under 35 U.S.C. § 112, second paragraph

Claims 1, 9 and 17 have been rejected under 35 U.S.C. § 112, second paragraph, for specified claim language relating to relationships between media content and sources thereof. Independent Claims 1, 9 and 17 have been amended to particularly point out and distinctly claim the subject

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matter reciting such relating to such to relationships between various media content and sources thereof.

Rejection under 35 U.S.C. § 103(a)

The Office has rejected independent Claims 1, 9 and 17 under 35 U.S.C. § 103(a) as being unpatentable over del Val et al (US 6,763,392) in view of Deshpande (US Pat Pub No. US 2005/0071881). The Applicants assert that, in view of amended independent Claims 1, 9, and 17, the present invention as recited in amended independent Claims 1, 9, and 17 and all claims dependent thereon are clearly distinguished from del Val and Dshpande, individually and in combination, and provides advantageous, useful and non-obvious functionality with respect to Val and/or Dshpande. Accordingly, the Applicants submit that the rejection under 35 U.S.C. § 103(a) applied to independent Claims 1, 9 and 17 as being unpatentable over del Val in view of Deshpande is overcome and respectfully requests the Office to withdraw the rejection of independent Claims 1, 9 and 17 and all claims dependent thereon.

With respect to amended independent Claim 1, neither del Val nor Deshpande disclose, teach or suggest the recited structure or functionality of such amended claim. More specifically, neither del Val nor Deshpande disclose, teach or suggest: 1.) generating a Real Time Streaming Protocol (RTSP) SET_PARAMETER message to said network node by a client application executing on a digital multimedia device, 2.) said message containing at least one of a playlist identifier, a media clip index and a clip offset as well as an indication of an activation time corresponding to an END OF CLIP value, 3.) transferring digital multimedia content to said

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digital multimedia device by said network node from a second content source identified by at least one of said playlist identifier and said media clip index, 4.) said RTSP SET_PARAMETER message is generated in response to the client application generating a SWITCH message while said network node is streaming current digital multimedia content to said digital multimedia device from a first content source different than the second content source, 5.) the first content source comprises a first media clip from which said current media multimedia content is accessed for streaming and the second content source comprises a second media clip from which said digital multimedia content of the second content source is accessed for streaming, 6.) said network node continues to stream from the first media clip until a boundary of the first media clip is reached, 7.) said transferring commencing in response to the boundary of the second media clip being reached during said streaming thereof, 8.) receiving a Normal Play Time (NPT) value determined based on the parameters received in the SET_PARAMETER message, 9.) the NPT value indicates a time at which streaming of media content from the second media clip will commence, and 10.) causing the time to be displayed after receiving the NPT. Accordingly, a skilled person will appreciate that the operational structure and functionality as provided by the invention as recited in independent Claim 1 is not capable of being provided by and is not intended to be provided by implementations of the disclosures of del Val and/or Deshpande.

With respect to amended independent Claim 9, neither del Val nor Deshpande disclose, teach or suggest the recited structure or functionality of such amended claim. More specifically, neither del Val nor Deshpande disclose, teach or suggest: 1.) means associated with a client application executing on a digital multimedia device for generating a Real Time Streaming

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Protocol (RTSP) SET_PARAMETER message to said network node, 2.) said message containing at least one of a playlist identifier, a media clip index and a clip offset as well as an indication of an activation time corresponding to an END OF CLIP value, 3.) means for transferring digital multimedia content to said digital multimedia device by said network node from a second content source identified by at least one of said playlist identifier and said media clip index, 4.) said RTSP SET_PARAMETER message is generated in response to the client application generating a SWITCH message while said network node is streaming current digital multimedia content to said digital multimedia device from a first content source different than the second content source, 5.) the first content source comprises a first media clip from which said current media multimedia content is accessed for streaming and the second source comprises a second media clip from which said digital multimedia content of the second content source is accessed for streaming, 6.) said network node continues to stream from the first said media clip until a boundary of the first media clip is reached, 7.) said transferring commencing in response to the boundary of the second media clip being reached during said streaming thereof, 8.) means for receiving a Normal Play Time (NPT) value determined based on the parameters received in the SET_PARAMETER message, 9.) the NPT value indicates a time at which streaming of media content from the second media clip will commence, 10.) means for causing the time to be displayed after receiving the NPT. Accordingly, a skilled person will appreciate that the operational structure and functionality as provided by the invention as recited in independent Claim 9 is not capable of being provided by and is not intended to be provided by implementations of the disclosures of del Val and/or Deshpande.

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With respect to amended independent Claim 17, neither del Val nor Deshpande disclose, teach or suggest the recited structure or functionality of such amended claim. More specifically, neither del Val nor Deshpande disclose, teach or suggest: 1.) logic for generating a Real Time Streaming Protocol (RTSP) SET_PARAMETER message to said network node by a client application executing on said digital multimedia device, 2.) said message containing at least one of a playlist identifier, a media clip index and a clip offset as well as an indication of an activation time corresponding to an END OF CLIP value, 3.) a player engine operable to play back streaming content from a second content source identified by at least one of said playlist identifier and said media clip index, 4.) said streaming content from the second content source commencing at a time determined responsive to said indication of said activation time, 5.) said RTSP SET_PARAMETER message is generated in response to the client application generating a SWITCH message while said network node is streaming current digital multimedia content to said digital multimedia device from a first content source different than the second content source, 6.) the first content source comprises a first media clip from which said current digital multimedia is accessed for streaming and the second source comprises a second media clip from which said multimedia content of the second content source is accessed for streaming, 7.) said network node continues to stream from the second media clip until a boundary of the second media clip is reached, 8.) the client application continues to receive said multimedia content being streamed from the first media clip until a boundary of the second media clip is reached, 9.) causing the client application continue to begin receiving said multimedia content from the first media clip in response to the boundary of the first media clip being reached during said streaming thereof, 10.) the client application being configured to receive a Normal Play Time

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(NPT) value determined based on the parameters received in the SET_PARAMETER message, 11.) the NPT value indicates a time at which streaming of media content from the second media clip will commence, and 12.) the client application being configured to cause the time to be displayed after receiving the NPT. Accordingly, a skilled person will appreciate that the operational structure and functionality as provided by the invention as recited in independent Claim 17 is not capable of being provided by and is not intended to be provided by implementations of the disclosures of del Val and/or Deshpande.

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CONCLUSIONS

The Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for reasons clearly apparent, the Applicants respectfully request full allowance of all pending claims. If there are any matters that can be discussed by telephone to further the prosecution of the Application, the Applicants invite the Examiner to contact the undersigned at 512-306-8533 at the Examiner's convenience.

Respectfully submitted,

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